

CEMETERY BYLAW
SPECIAL SERVICE FOR MARGO
BYLAW NO. 01-2023

A BYLAW TO MAINTAIN AND REGULATE THE MARGO CEMETERY

The Council of the R.M. of Sasman No. 336 in the Province of Saskatchewan enacts as follows:

1) Short Form:

- a) This bylaw may be referred to as the “Cemetery Bylaw”.

2) Definition of Terms:

- a) “**Municipality**” means the R.M. of Sasman No. 336 (Special Service Area for Margo)
- b) “**Act**” means *The Cemeteries Act 1999*
- c) “**Regulations**” means The Cemeteries Regulations 2001
- d) “**Cemetery**” means The Margo Cemetery
- e) “**Cemetery Services**” means services rendered or to be rendered at a cemetery and includes the following:
- i) opening and closing a grave;
 - ii) opening and closing and sealing a tomb, crypt, compartment or vault in a mausoleum or a niche or compartment in a columbarium;
 - iii) interring or disinterring human remains or cremated human remains;
 - iv) providing temporary storage in a receiving vault or crypt;
 - v) constructing a foundation for a memorial;
 - vi) setting corner posts;
 - vii) providing a tent or canopy, carrying or lowering devices and ground cover for an interment service;
 - viii) preparing flower beds and planting flowers and shrubs;
 - ix) providing elevating devices;
 - x) any other service that may be prescribed in the regulations;
- f) “**Cemetery Supplies**” means interment vaults, memorials, flowers, liners, urns, shrubs and artificial wreaths and other articles intended to be placed in a cemetery;
- g) “**Contract Beneficiary**” means the individual:
- i) who is named in a prepaid cemetery contract; and
 - ii) on whose death cemetery services or cemetery supplies or both are to be provided pursuant to that contract;
- h) “**Cremated Human Remains**” means human bone fragments that remain after cremation;
- i) “**Cremains**” means cremated human remains
- j) “**Cremation**” means the technical process of using heat to reduce human remains to bone fragments;
- k) “**Human Remains**” means a dead human body, but does not include cremated human remains;
- l) “**Interment**” means:
- i) (i) the burial of human remains or cremated human remains in a cemetery;
- m) “**Interment Rights**” means the right to use a lot for the purpose of the interment of human remains or cremated human remains
- n) “**Lot**” means a space in a cemetery used or intended to be used for the interment of human remains or cremated human;
- o) “**Memorial**” means a marker, headstone, tombstone, monument, plaque, tablet, inscription, lettering or ornamentation that is used to identify a lot or memorialize a deceased person;
- p) “**Record**” means a record of information in any form and includes information that is written, photographed, recorded or stored in any manner, but does not include computer programs or other mechanisms that produce records;
- q) “**Prepaid Cemetery Contract**” means a contract under which, in consideration of full or partial payment made in advance, an owner undertakes to provide future cemetery services or cemetery supplies or both with respect to a contract beneficiary who is alive at the time the contract is made;
- r) “**Third Party**” means a person, including an unincorporated entity, other than an applicant or a local authority.

3) Designation of Property for the Margo Cemetery:

- a) That part of the North-West quarter of Section 11, Township 33, Range 10, west of the second meridian, in the Province of Saskatchewan, being acquired by the Municipality for the purpose of being a Cemetery as approved by the Registrar under *The Cemeteries Act 1999*; shall be known as the Margo Cemetery.

4) Interment:

- a) No burial of human remains nor of cremains shall be made in the cemetery unless an application is made to the Clerk of the municipality and a licence is issued for that purpose;
- b) There shall be only one burial of human remains per lot;
- c) All burials shall be made in accordance with the stipulations as set out in the Act.
- d) Cremains:
 - i) May be buried in a lot that also contains human remains;
 - ii) Where such conditions as outlined in subsection (d-i) exist the maximum number of cremains per lot shall be two (2);
 - iii) Where there are no human remains in a lot the maximum number of cremains interred shall be three (3);
 - iv) Where there are three (3) pre-existing cremain interments no burial of human remains shall be allowed;
- e) For multiple interments there shall be a \$150.00 fee for each subsequent interment to the maximums set out in subsection (e).
- f) Request to open and close graves:
 - i) Shall be made in writing at least 24 hours before the requested action and
 - ii) Shall be accompanied by the permit fee as specified in Form 2 attached to this bylaw as Appendix B.

5) Decoration of Graves:

- a) For the purpose of burial ceremonies only, artificial or natural flowers that are secured or bound with metal or wire are permitted on lots for a period of ten (10) days.

6) Monuments:

- a) Shall be subject to the following limits:
 - i) Acceptable Materials:
 - (1) All monuments shall be made of Granite, Marble, Concrete, or other materials having similar durable properties as the aforementioned
 - ii) Grave Stones
 - (1) No wider than 1.2 metres except
 - (a) In the case of double grave the maximum width shall be 1.35 metres and
 - (2) Not to exceed a height of 1.05 meters
 - (3) Extend into the ground no more than .43 metres
 - iii) Flat markers
 - (1) Are to be set flush with the level of the ground and
 - (2) No wider than 1.2 metres
 - (a) Except when used for a double grave where the maximum shall be 1.35 metres and
 - (3) Extend into the ground no more than .3 metres
 - (4) Shall be aligned so that all such markers in a row form a straight line.

- b) There shall be a maximum of one monument per grave except:

- i) Where Cremated remains are to be interred alongside a pre-existing burial and
- ii) The grouped monuments together do not exceed the maximum width of 1.2 metres and
- iii) A maximum height of .43 metres and
- iv) Where a monument is either not practical or desired by the family multiple flat markers may used instead.

c) Position of Monuments:

- i) For a single grave the monument shall be installed in the center of the lot at its head
- ii) For multiple graves the monument shall be installed at the head of the grave closest to the center of the group of lots.

d) Permit for Installation of Monuments:

- i) The permit for the installation of a monument shall be found on Form 3 attached to this bylaw as Appendix c
- ii) The fee for a monument permit shall be as specified in Appendix C and
- iii) All such permits shall expire within 60 days of issue.

7) Grave Covers:

- a) May be installed upon a grave only with the express permission of the Municipal Council
- b) Must be maintained at the family's expense or by the deposit of funds with the municipality for this purpose
- c) May be ordered removed by the Municipal Council if allowed to fall into extreme disrepair and no funds have been deposited as mentioned in the previous item.

8) Shrubs, Trees, or other Plant Material:

- a) May be planted on a lot with council permission
- b) Must be of a species which will remain within the confines of the lot
- c) Will be removed if any part of the shrub, tree, or plant impinges on any other lot.

9) Removal of Monuments:

- a) Other sections notwithstanding the Municipal Council may direct the removal of any Grave Cover, Monument, Plant Material, or parts thereof.

10) Indigent Persons:

- a) Shall be interred in such sections of the Cemetery as the Municipal Council may designate from time to time.

11) Records:

- a) The Administrator shall keep accurate records as required by the Act.

12) Disinterment:

- a) All requests for disinterment shall be made in writing to the Administrator and
 - i) Shall be accompanied by written permission from the family of the Contract Beneficiary and
 - ii) Shall be accompanied by the appropriate fee for the permit as set out in Form 2 attached to this bylaw as Appendix B and
 - iii) Shall be submitted at least 48 hours before the disinterment except with specific permission of Municipal Council and
 - iv) Shall comply with all provisions of the Act regarding disinterment.

13) Purchase of Prepaid Cemetery Contract:

- a) Any person may purchase Interment Rights to a specific lot in the Margo Cemetery. The cost of these Rights is as follows:
 - i) Village of Margo Resident:
 - (1) Lot \$200.00
 - (2) Perpetual Care \$100.00
 - ii) Non Resident:
 - (1) Lot \$375.00
 - (2) Perpetual Care \$125.00
- b) Upon purchase the Contract Beneficiary shall complete Form 4 which is attached to this bylaw as Appendix D and shall receive a copy of same.

- c) The Municipality reserves the right to limit the number of lots listed under any one contract.

- d) All monuments and grave decorations are purchased, installed, and maintained at the expense of the contract beneficiary and/or their family.

- e) The Municipality will provide the general maintenance of the cemetery grounds except for removal of grass outcroppings on plaque markers which are the responsibility of the contract beneficiary and/or their family.

14) Bylaw Enforcement:

- a) Every person who contravenes any provision of this bylaw of the municipality is guilty of an offence and liable on summary conviction:
 - i) To the penalties as set out in Section 65 of the Act in contravention of the Act; or
 - ii) To the penalties as set out in the Penalty Bylaw if in contravention of this bylaw

15) Coming Into Force

- a) This Bylaw shall take effect upon approval by Municipal Council



Section 54 of The Cemeteries Act 1999


REEVE

ADMINISTRATOR

Read a third time and adopted
this 22nd day of FEBRUARY, 2023


ADMINISTRATOR

Request to Open Grave

Permission is hereby granted to _____ to open a grave on the described lot (s) for the purpose of:

(a) INTERMENT OF REMAINS Plot _____ Lot _____

(b) DISINTERMENT OF REMAINS Plot _____ Lot _____

Name of Deceased: _____
(Please Print Clearly)

Date Grave needs to be opened: _____
(Please Print Clearly)

For Disinterment:

Permission from Relative attached to Permit: _____
(Yes or No)

Permission from Council Attached to Permit: _____
(Yes or No)

Reason for Disinterment: _____
(Please Print Clearly)

Fifty Dollar Fee Paid: _____
(Yes Or No Copy of Receipt Attached)

This Permit is granted subject to the provisions of Bylaw No. 5 - 2022 and *The Cemeteries Act 1999* governing the Margo Cemetery.

Dated this _____ Day of _____, A.D. _____

R.M. OF SASMAN NO. 336

Administrator

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Permit to Erect a Monument

Permission is hereby granted to _____ to erect a monument on the described lot (s):

(a) Plot _____ Lot _____

(b) Plot _____ Lot _____

(c) Plot _____ Lot _____

Name of Deceased: _____ (Please Print Clearly)

Monument Information:

Style of Monument (s): _____ (Please Print Clearly)

Permission from Council Attached to Permit: _____ (Yes or No) (Please Print Clearly)

Ten Dollar Fee Paid: _____ (Yes Or No Copy of Receipt Attached)

This Permit is granted subject to the provisions of Bylaw No. 1 - 2023 and The Cemeteries Act 1999 governing the Margo Cemetery.

Dated this _____ Day of _____, A.D. _____

R.M. OF SASMAN NO. 336

Administrator

Prepaid Cemetery Contract

This is to certify that the following lot(s) :

- (a) Plot _____ Lot _____
- (b) Plot _____ Lot _____
- (c) Plot _____ Lot _____
- (d) Plot _____ Lot _____

have had their interment rights assigned to the Contract Beneficiary and his/her heirs and/or assigns in perpetuity for the Sum of

- i) Resident \$200.00
- ii) Non Resident \$375.00

per lot.

And that a contract for perpetual care has been entered into with the R.M. of Sasman No. 336 for the specified lots at a cost of:

- iii) Resident \$100.00
- iv) Non Resident \$125.00

each for the first interment and \$150.00 each for every subsequent interments as specified in the Cemetery Bylaw.

Name Contract Beneficiary: _____
(Please Print Clearly)

This contract is subject to the provisions of Bylaw No. 5 – 2022 and *The Cemeteries Act 1999* governing the Margo Cemetery.

Dated this _____ Day of _____, A.D. _____

Contract Beneficiary

R.M. OF SASMAN NO. 336

Administrator

5-7014-5